IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 6322 of 2002

Between:

C.B. Mishra, S/o S.N. Mishra, aged about 47 years, Occ:--,

Resident of 10/1, Alipur Park Lane, Kolcotta-27.

..... PETITIONER

AND

1. Andhra Pradesh State Finance Corporation,

   5-1-194, Chirag Ali Lane,

   Hyderabad, represented by its Managing Director.

2. M/s B.G.Steels Private Limited,

   No.2-3-577/2, 1st Floor, Minister Road, Secunderabad.

   Represented by its Managing Director.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, direction or order more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not extending the OTS Scheme to the petitioner herein for settling the dues of M/s Delhi Tubes Limited as arbitrary, illegal and ultra vires and consequently declare the auction of the assets of M/s Delhi Tubes Limited vide auction notice dated 26-01-2001 as arbitrary, illegal and ultra vires and violative of the petitioner's rights guaranteed under Articles 14, 19(1)(g) and 300A of the Constitution of India.

Counsel for the Petitioner: M/SC.KODANDA RAM

Counsel for the Respondent No.1: MR.Y. NEELA LOHITHA SASTRY

Counsel for the Respondent No.2: None appeared.

The Court made the following:

ORDER:

Heard both sides and at their request, the writ petition itself is taken up for disposal.

It is submitted that having regard to the fact that the main relief sought for in the writ petition is only with regard to the extension of 'One Time Settlement Scheme' and especially, in view of the interim orders passed by this Court in W.P.M.P.No.7919 of 2002 dated 08-04-2002 directing the respondents to dispose of the representation of the petitioner, no further orders are necessary in the present writ petition requiring any further adjudication.

The writ petition is accordingly dismissed. However, it is open for the petitioner to file fresh writ petition in the event of any adverse orders passed by the respondents. No costs.

_____

(B.PRAKASH RAO, J)

Date: 21-09-2004

ghn/pan

To

1. The Managing Director,
   Andhra Pradesh State Finance Corporation,
   5-1-194, Chirag Ali Lane,
   Hyderabad.

2. Two CD copies.